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United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE CAUSTIC POISON-ACT

[Given pursuant to section 9 of the Caustic Poison Act]

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[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 26, 1937]

56. Misbranding of packages of Moxon's Liniment. U.S. v. 12, 8, and 5 Packages of Moxon's Liniment. Default decree of condemnation and destruction. (C. P. A. no. 66. Sample no. 6165-C.)

This product was a dangerous caustic or corrosive substance and its label did not comply with the requirements of the law prescribing the labeling of

such products.

On August 15, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 packages of Moxon's Liniment at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about April 27, 1936, by the Moxon Liniment Co., of St. Clemens, Mich., from Detroit, Mich., and charging misbranding in violation of the Federal Caustic Poison Act.

The article was alleged to be misbranded in that it was in packages suitable for household use and contained ammonia in a concentration of 5 percent or more, and the label did not bear the word "poison"; in that the label did not bear the common name of the caustic or corrosive substance contained therein, namely, ammonia, and in that the label did not bear directions for treatment in case of accidental personal injury. The libel further charged that the product was misbranded under the Food and Drugs Act, reported in notice of judgment no. 26803 published under that act.

On October 2, 1936, no claimant having appeared, judgment of condemnation

was entered and it was ordered that the product be destroyed.

M. L. Wilson,
Acting Secretary of Agriculture.

57. Misbranding of Anti-Itch. U. S. v. 5 Dozen Jars of Anti-Itch. Consent decree of condemnation. Product released under bond for relabeling. (C. P. no. 63. Sample no. 49286-B.)

This case involved an interstate shipment of Anti-Itch the label of which failed to bear the common name of the dangerous caustic or corrosive substance, carbolic acid, contained in the article; the word "poison"; and directions for

treatment in case of accidental personal injury.

On April 21, 1936, the United States attorney for the Western District of Missouri filed in the district court a libel praying seizure and condemnation of 5 dozen jars of Anti-Itch at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about February 8, 1936, by the Arnold Drug Co., from Topeka, Kans., and that it was misbranded in violation of the Federal Caustic Poison Act.

The article was alleged to be misbranded (1) in that the label did not have a statement giving the common name of the dangerous caustic or corrosive substance contained in the article, namely, carbolic acid; (2) in that the word "Poison" did not appear on the label; and (3) in that the label did not contain

any directions for treatment in case of accidental personal injury.

The libel also alleged that the article was misbranded in violation of the Food and Drugs Act, as reported in notice of judgment 26747 published under that act.

On May 21, 1936, John B. Armstrong, Topeka, Kans., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation was entered and it was ordered that the product be released under bond for relabeling.

M. L. WILSON,
Acting Secretary of Agriculture.

 Misbranding of packages of Little Wonder Drain Pipe Solvent. U. S. v. The R. M. Hollingshead Corporation. Plea of guilty. Fine, \$150. (C. P. A. no. 64. Sample no. 21198-B.)

This product contained a dangerous caustic or corrosive substance and was not labeled in the manner the law requires that such substances be labeled.

On August 26, 1936, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the R. M. Hollingshead Corporation, Camden, N. J., alleging shipment by said company in violation of the Federal Caustic Poison Act, on or about February 7, May 6, and September 30, 1935, from the State of New Jersey into the State of New York of quantities of Little Wonder Drain Pipe Solvent, which was a dangerous caustic or corrosive substance in packages suitable for household use and which was misbranded.

The article was alleged to be misbranded in that the word "poison". ap-

The article was alleged to be misbranded in that the word "poison". appearing on the label, was not in uncondensed Gothic capital letters of 24-point size nor in type as large as the largest type on the label; the label did not bear the common name of the caustic or corrosive substance, namely, sodium hydroxide; the name "Durst Manufacturing Company", borne on the label, was not qualified to show that the Durst Manufacturing Co, was distributor of the product; and the label did not bear adequate and complete directions

for use in case of accidental personal injury.

On September 19, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$150.

M. L. Wilson,
Acting Secretary of Agriculture.